

REMARKS

This amendment is in response to the Office Action dated November 5, 2008. Claims 10, 13-16, and 18-37 have been amended, claims 1-4, 8, and 38-40 have been canceled, and claims 41-46 have been added; as such, claims 5-7, 9-37, and 41-46 are now pending in this application. Reconsideration and allowance is requested in view of the claim amendments and the following remarks.

No new matter has been added by this Amendment.

Allowable Subject Matter

Applicant appreciates that claims 5-7, 9, 11, 12, and 17 are allowed, and that claims 13, 15, 16, and 18-35 contain allowable subject matter.

By this amendment rejected claims 1-4, 8, and 38-40 have been canceled, rejected claims 10, 14, 36, and 37 have been made dependent on allowed claim 5, claim 13, 15, 16, 18, 20, 21, and 30 have been placed in independent form.

Accordingly, Applicant submits that all the independent claims 5-7, 9, 11-13, 15-18, 20, 21, and 30 are allowed or allowable, as are dependent claims 10, 14, 19, 21-29, and 31-37 which depend thereon.

Furthermore, it is submitted that new claim 41-46 are allowable since they share similar subject matter with claims 5, 6, and 7.

Rejections under 35 U.S.C. § 112

Claims 13 and 37 have been amended as suggested by the Office Action. Claims 38-40 have been cancelled. Accordingly, withdrawal of the rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1-3 and 38-40 have been rejected under 35 U.S.C. § 103 over Fleishmann in view of Kohar et al. Claims 4, 8, 10, 14, 36, and 37 have been rejected under 35 U.S.C. § 103 over Fleishmann in view of Kohar et al. and O'Dell.

Claims 1-4, 8, and 38-40 have been canceled, and claims 10, 14, 36, and 37 have been made dependent on allowed claim 5.

Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under Non-Statutory Double Patenting

Claims 4, 8, 10, 14, 36, and 37 have been rejected under Non-Statutory Double Patenting.

Claims 4 and 8 have been canceled, and claims 10, 14, 36, and 37 have been made dependent on allowed claim 5.. Accordingly, withdrawal of this rejection is respectfully requested.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. IRD-0017 from which the undersigned is authorized to draw.

Dated:

2/5/09

Respectfully submitted,

By

Nerrie M. Zohn

Registration No.: 55,761

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 23353

Attorney for Applicant